

Exhibit D

Proposed Consent Order

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CONSENT ORDER

In re Seizure of Property Described in Schedule A.

No. 1:24-MJ-22 (CFH)

Kris Roglieri, by and through his attorneys, Dreyer Boyajian LLP and bankruptcy counsel Pashman Stein Walder Hayden, P.C., and The United States of America, by and through Carla Friedman, United States Attorney for the Northern District of New York, having consented to an Order; the Court finds that:

(1) This Court issued a Warrant in this matter filed on February 21, 2024, authorizing, *inter alia*, the seizure of a 2020 Lamborghini Aventador, VIN ZHWUM6ZD9LLA09436, titled the name of Kris Roglieri (the “2020 Lamborghini”) (DE # __);

(2) The Government’s application to this court (DE # __) alleges in paragraphs 51 and 52 therein that the 2020 Lamborghini was purchased for \$723,363.76 in 2020, and that thereafter repairs and improvements totaling \$183,791.91 were made to this vehicle with allegedly tainted funds;

(3) This Court issued a Warrant in this matter filed on February 23, 2024, authorizing, *inter alia*, the seizure of a 2014 Mercedes-Benz SLS, VIN WDDRJ7HA7EA010865 , titled the name of Kris Roglieri (the “2014 Mercedes-Benz”) (DE # __);

(4) The Government’s application to this court (DE # __) alleges in paragraph 42 therein that \$65,251.69 in tainted funds relate to service, work, and improvements done on the 2014 Mercedes-Benz;

(5) Both the 2020 Lamborghini and the 2014 Mercedes-Benz (the “Subject Vehicles”) are worth more than the amount of tainted funds alleged by the Government in its applications to this Court;

(6) Kris Roglieri (“Mr. Roglieri”) filed a Chapter 11 Bankruptcy Petition on February 15, 2024, in United States Bankruptcy Court, Northern District of New York (the “Bankruptcy Court”), Docket No. 24-101-57-1 (REL) (the “Roglieri Bankruptcy Case”), and an automatic stay is in place in the Roglieri Bankruptcy Case, pursuant to 11 U.S.C. § 362;

(7) Counsel for Mr. Roglieri and the Government have met and conferred concerning an arrangement where the Subject Vehicles may be sold pursuant to the approval of the Bankruptcy Court and on Notice to the Government, in order to protect the Government’s interest in the allegedly tainted improvements and to meet Mr. Roglieri’s fiduciary obligations and to maximize the value of the estate for the benefits of his creditors; and

(8) Upon the entry of an order by the Bankruptcy Court authorizing a procedure for the sale of the Subject Vehicles, the Government shall arrange to transfer possession of the Subject Vehicles to bankruptcy counsel for Mr. Roglieri and that the first proceeds of any sale of the 2020 Lamborghini up to \$183,791.91, and the first proceeds of the sale of the 2014 Mercedes-Benz up to \$65,251.69, shall be deposited into the registry of the Court pursuant to Fed. Rule Civ. P. 67 and Local Rule 67.1.

IT IS SO ORDERED.

Dated: March ____, 2024

HON. CHRISTIAN F. HUMMEL
UNITED STATES MAGISTRATE JUDGE